IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

WP(C).No. 32151 of 2006(C)

PETITIONER:

GEORGE JOSE, S/O. JOSEPH,
KOTTARATHIL HOUSE, VARAMAMKODE,
PAYYANNUR POST, PALAKKAD, KERALA.

BY ADV. SRI.C.K.RAMAKRISHNAN

RESPONDENTS:

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1. THE REGISTRAR,
CO-OPERATIVE SOCIETY LTD.,
THIRUVANANTHAPURAM.

2. THE JOINT REGISTRAR,
CO-OPERATIVE SOCIETY LTD., PALAKKAD.

3. ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETY, PALAKKAD.

4. SECRETARY,
MANNARKKAD CO-OPERATIVE AGRICULTURAL
RURAL DEVELOPMENT BANK, MANNARKKAD P.O.,
PALAKKAD.

BY SENIOR GOVERNMENT PLEADER, SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

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W.P.(C) No. 32151 of 2006 (C)

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Dated this the 4th day of December, 2006

J U D G M E N T

The writ petitioner is a defaulter in repayment of the loan amount to the fourth respondent bank. He had made a representation before the fourth respondent and approached this Court to a direction for consideration of his request. Through Exhibit P5 and Exhibit P5(a), this Court had directed the fourth respondent to consider the request for one time settlement scheme and dispose of the same within two months from the date of of production of the copy of the judgment. Exhibit P5 was dated 22/07/2005 and Exhibit P5(a) was a correction dated 09/12/2005.

2. One time settlement scheme was in force from 12/10/2001 to 31/03/2005. Therefore, the fourth respondent has disposed of the same, rejecting the prayer of the writ petitioner to accept an amount of Rs.11,024/-. Hence, the writ petitioner is again before this Court stating that the fourth respondent did not legally consider the directions of this Court for one time

settlement scheme. Hence, the writ petitioner prays that further appropriate directions may be issued.

3. After hearing the writ petitioner and the Senior Government Pleader, I direct the writ petitioner to prefer an application afresh, before the fourth respondent, within one week from today and the fourth respondent is to consider and dispose of the representation, extending the facilities and benefits available under the one time settlement scheme, as per Circular No.27/2006, dated 29/06/2006, which is valid upto 31/12/2006. The fourth respondent shall dispose of the same, within three weeks from the date of production of the copy of the judgment.

4. There shall be a stay of all further proceedings, till the representation that would be filed, within one week, is disposed of, as directed above.

(J.M.JAMES)
Judge

ms